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DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.



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By virtue of authority vested in the Secretary of Agriculture by the United States warehouse Act of August 11, 1916 (39 U.S. Stat. L. p.486), as amended, I, R. W. Dunlap, Acting Secretary of Agriculture, do make, prescribe, publish and give public notice of the following amendments to the regulations of the Secretary of Agriculture, approved May 26, 1928, for warehousemen storing cold-pack fruit under said Act, such amendments to be immediately effective.

Amend Regulation 1, Section 2, Paragraph 1 (e), to read:

(e) Within 12 hours after packing, all berries and fruits to be stored under this act shall be in a sharp room having a temperature not in excess of zero and shall be held in such sharp room for at least 48 hours before being placed in regular cold storage rooms; provided, that berries to which has been added not more than one-tenth of one per cent of benzoate of soda by weight shall not be placed in such sharp room but such berries shall be placed within 12 hours after packing in regular cold storage rooms having a temperature not lower than 32° nor higher than 40° F.

Amend Regulation 4, Section 1, Paragraph 2, to read:

Par. 2. Every receipt, whether negotiable or nonnegotiable, issued for cold-pack fruit, shall specify a period, not exceeding one year, for which the cold-pack fruit is accepted for storage under the act and these regulations; provided, that receipts covering berries packed with benzoate of soda shall in no event be issued for a period beyond April 30 following the year in which packed. Upon demand and surrender of the old receipt by the lawful holder thereof, at or before the expiration of the period specified, the warehouseman, upon such lawful terms and conditions as may be granted by him to other depositors of cold-pack fruit in his warehouse, if he then continue to act as a licensed warehouseman, shall issue a new licensed receipt for a further specified period, not exceeding six months; provided it is actually determined by a licensed inspector that the cold-pack fruit has not deteriorated and that it is in proper condition for storage.

Amend Regulation 5, Section 1, to read:

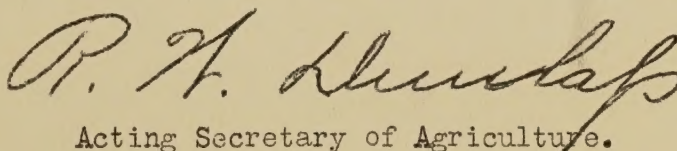
Section 1. No licensed warehouseman shall receive cold-pack fruit in his licensed warehouse for storage unless a licensed inspector has examined it and found it to be in proper condition and the warehouseman deems it suitable for storage; provided that under no condition shall fruit be accepted which, according to the certificate issued by the licensed inspector at the packing plant, was packed more than 12 hours prior to the fruit reaching the proper storage room of the warehouseman. Before accepting any lot of fruit offered for storage the warehouseman shall receive under seal a copy of the certificate issued by the inspector who inspected the fruit at the packing plant. Under no circumstances shall any container or any cold-pack fruit be accepted for storage under the act and these regulations unless the containers and the fruit both are in conformity with these regulations. If the cold-pack fruit when offered for storage is in cans, the warehouseman shall refuse to accept for storage all swells, leakers, rusty cans, or any cold-pack fruit known to be in violation of either State or Federal food and drug laws.

Amend Regulation 5, Section 4, to read:

Sec. 4. Each warehouseman shall at all times exercise such care in regard to cold-pack fruit in his custody as a reasonably careful owner would exercise under the same circumstances and conditions.

After the product leaves the sharp room he must at all times keep it stored in rooms having a temperature not in excess of 20° F; provided, that in the case of berries packed with benzoate of soda a temperature not less than 32° F. nor in excess of 40° F. must be maintained at all times, and temperature readings made at least four times in every 24 hours shall be kept.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, this 29th day of May 1930.


Acting Secretary of Agriculture.

